

# From the Upper Chamber



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## Report for Friday, February 3, 2006

The thirteenth day of the 2006 legislative session was called to order by Lieutenant Governor **Mark Taylor**.

Senator **Don Thomas** of the 54<sup>th</sup> stated that the journal had been read and was found to be correct.

Sen. **Joseph Carter** of the 13<sup>th</sup> moved for reconsideration of Senate Resolution 655, known as the *HOPE Chest* Amendment, which failed to receive the required two-thirds majority needed to pass Thursday. He took the well to speak to the motion.

Sen. **Sam Zamarripa** of the 36<sup>th</sup> took the well to speak against the motion.

By a vote of 35-14, the Senate voted to reconsider its action on SR 655.

Senate Bills 506-520; Senate Resolution 801; House Bills 594, 692, 1042, 1052, 1059, 1080, 1142, 1143 and 1155 were read for the first time and assigned to their respective Committees.

Following the report of Standing Committees and second reading of Senate Bills and Resolutions, the morning roll call was taken.

Lt. Gov. **Taylor** then recognized Sen. **Bill Heath** of the 31<sup>st</sup> to lead the Senate in the Pledge of Allegiance. Sen. **Heath** introduced the *Chaplain of the Day*, Pastor **Joseph Ringwalt** of Rowland Springs Baptist Church in Cartersville, who led the Senate in the daily devotional.

There were no unanimous consents or motions to withdraw and commit.

President Pro Tempore **Eric Johnson** of the 1<sup>st</sup> took the well on a Point of Personal Privilege to make Senators aware of an erroneous *CNN* story that the Senate had passed a new State Flag with the Confederate battle emblem. *CNN* had based that story on a "This Day in History" article in the Columbus *Ledger-Enquirer* from February 2, 1956. He thanked the Senate Information Office for resolving the issue.

Sen. **Steve Thompson** of the 33<sup>rd</sup> took the well on a Point of Personal Privilege to request that Georgia Public Broadcasting's *Lawmakers* be more balanced in their interviews as a response to a story that ran on the debate of SR 655.

Sen. **Seth Harp** of the 29<sup>th</sup> took the well on a Point of Personal Privilege to comment on a letter that he distributed to Senators concerning child support legislation. He also responded to statements that have been made concerning proceedings surrounding the *HOPE Chest* Amendment in the Higher Education Committee.

Sen. **Jim Whitehead** of the 24<sup>th</sup> took the well on a Point of Personal Privilege to speak to the death of Dr. **Joseph Still**. He asked Senators to recognize a moment of silence for Dr. **Still**.

Lt. Gov **Taylor** then recognized Sen. **Judson Hill** of the 32<sup>nd</sup> to introduce the *Doctor of the Day*, Dr. **Stephen Pitts** of Marietta.

Sen. **Ed Harbison** of the 15<sup>th</sup> took the well on a Point of Personal Privilege to remind Senators that the body of **Coretta Scott King** will lie in state at the Capitol tomorrow and to speak to the logistics of the day.

Sen. **Michael Meyer von Bremen** of the 12<sup>th</sup> took the well on a Point of Personal Privilege to speak to comments made on *Lawmakers* last night by Majority Leader **Tommie Williams** of the 19<sup>th</sup> concerning Chehaw Park in Albany.

Sen. **John Douglas** of the 17<sup>th</sup> took the well on a Point of Personal Privilege to applaud the efforts of the Georgia National Guard Family Support Foundation and to ask Senators for contributions to the Foundation.

Sen. **Williams** took the well on a Point of Personal Privilege to respond to the comments made by Sen. **Meyer von Bremen**.

Minority Leader **Robert Brown** of the 26<sup>th</sup> took the well on a Point of Personal Privilege to speak to the minority party's position on the *HOPE Chest* Amendment debated on Thursday.

Senate Resolutions 794-800, 802 and 803 were read and adopted.

Sen. **John Wiles** of the 37<sup>th</sup> moved that the two bills on the Local Consent Calendar, SB 470 and HB 1068 be considered individually. Without objection the motion carried.

SB 470 passed by a vote of 44 to 0.

HB 1068, dealing with school zoning in Cobb County, passed by a vote of 31 to 14.

The Secretary then read SB 391, which places a moratorium on the exercise of the power of eminent domain for 120 days. Sen. **Jeff Chapman** of the 3<sup>rd</sup> took the well to explain the bill.

Sen. **Wiles** took the well to lend his support for the legislation.

Sen. **Brown** also took the well to support the bill. He yielded to questions from Sens. **Dan Moody** of the 56<sup>th</sup> and **Thompson** of the 33<sup>rd</sup>.

Sen. **Emanuel Jones** of the 10<sup>th</sup> took the well to speak to his support of the legislation, specifically as it applies to a current eminent domain case in Stockbridge. He yielded to questions from Sen. **Douglas**.

Sen. **Kasim Reed** of the 35<sup>th</sup> took the well to present Amendment 1, which clarifies language relative to necessary uses of the power of eminent domain.

Amendment 1 was adopted by a vote of 38 to 0.

SB 391 passed as amended by a vote of 52 to 0.

SR 686 was adopted by a vote of 51 to 0.

The Secretary read SB 79, which authorizes elective courses on the Bible to be taught in public school. The Committee Substitute and Amendment were also read. Sen. **Williams** took the well to explain the legislation. He yielded to questions from the Sens. **Thompson** of the 33<sup>rd</sup>, Sen. **Renee Unterman** of the 45<sup>th</sup>, **Harp**, **Ralph Hudgens** of the 47<sup>th</sup> and **Vincent Fort** of the 39<sup>th</sup>.

Sen. **Tim Golden** of the 8<sup>th</sup> took the well to present Amendment 1, which changes language to authorize the State Board of Education to develop and adopt the elective course rather than mandate it.

Amendment 1A was then read. Sen. **Preston Smith** of the 52<sup>nd</sup> took the well to present the amendment, which strengthens language that the course be taught in an objective and non-devotional manner with no attempt made to indoctrinate students as to either the truth or falsity of biblical materials.

Sen. **Reed** took the well to speak in support of the bill and Amendment 1, which he believes will give the bill a better chance of surviving judicial scrutiny. He yielded to questions from Sens. **Mitch Seabaugh** of the 28<sup>th</sup>, **Wiles**, **Harp**, **Thompson** of the 33<sup>rd</sup>, **Smith** and **Meyer von Bremen**.

Sen. **Williams** returned to the well to respond to the amendments and close the debate. He yielded to questions from Sens. **Harp** and **Regina Thomas** of the 2<sup>nd</sup>.

Sen. **Thompson** of the 33<sup>rd</sup> requested that the Senate suspend to look at the language of the amendments.

Sen. **Williams** moved the previous question. Without objection, the motion carried.

Amendment 1A was adopted by a vote of 44-0.

Amendment 1 was adopted by a vote of 46 to 0.

The Committee Substitute as amended was adopted by a vote of 48 to 0.

SB 79 passed by substitute as amended by a vote of 50 to 1.

SB 409 was then read and Sen. **Bill Hamrick** of the 30<sup>th</sup> took the well to present the bill, which requires courts to determine contested elections and primaries on an expedited basis.

SB 409 passed by a vote of 49 to 1.

The Secretary then read SR 806 related to scheduling through the 17<sup>th</sup> Legislative Day. Sen. **Williams** took the well to speak to the schedule. Without objection, the resolution was adopted.

HB 1026, the Supplemental Appropriations for Fiscal Year 2006, was then read and assigned to the Senate Appropriations Committee.

Majority Leader **Williams** moved that the Senate stand adjourned until Monday, February 6 at 1:00 p.m.

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